

**THE GEORGE WASHINGTON UNIVERSITY
WASHINGTON, DC**

**MINUTES OF THE REGULAR MEETING
OF THE FACULTY SENATE HELD ON
JANUARY 16, 1998, IN THE MORRIS
ROOM, UNIVERSITY CLUB, MARVIN CENTER**

The meeting was called to order by Vice President Lehman at 2:15 p.m.

Present: Vice President Lehman, Registrar Selinsky, and Parliamentarian Pagel; Deans Futrell, Kee, and Lefton; Professors Agnew, Boswell, Castleberry, Granger, Griffith, Gupta, Harrington, Johnston, Kahn, Ludlow, Lynch, Maggs, McAleavey, Robinson, Silber, Slaby, Smith, Solomon, Wirtz, Yezer, and Youens

Absent: President Trachtenberg; Deans Friedenthal, Harding, Keimowitz, Mazzuchi, and Riegelman; Professors Captain, Cawley, Harrauld, Simon, and Sodaro

Vice President Lehman then introduced Gregory Maggs, Professor of Law, a new member of the Senate.

APPROVAL OF THE MINUTES

The Chair called for approval of the minutes of the regular meeting of December 12, 1997. Secretary Selinsky asked that the minutes be corrected to reflect that Dean Kee was present at the December 12th meeting. The minutes were then approved, as corrected.

OLD BUSINESS

REINTRODUCTION OF RESOLUTION 97/7, "A RESOLUTION ON INTER-DISCIPLINARY PROGRAMS"

Before moving the Resolution, Professor Boswell called upon Professor Arnold Schwartz, Chair of the Joint Subcommittee of the ASPP and PEAFC Committees which drafted this resolution. Professor Schwartz explained that the intent of the resolution is two-fold. First, to establish general guidelines for creating, conducting, and staffing interdisciplinary programs, in which he thought our future would lie. Secondly, to strike a balance between upholding the traditional and Code-protected role of departments in determining academic policy and curriculum, and the autonomy and authority which interdisciplinary program committees require to develop and establish successful programs. Professor Boswell, Chair of the Appointment, Salary and Promotion Policies Committee, then moved the adoption of Resolution 97/7, and the motion was seconded.

Professor Johnston moved to amend the last sentence of the Fifth RESOLVING Clause, as follows:

"the department or school representatives to each Program Committee may be delegated shall have signatory authority by the department and/or school to approve admissions to the interdisciplinary program;"

The motion was seconded. Professor Boswell accepted the amendment on behalf of the ASPP Committee.

Professor Griffith commented that he thought the resolution was a very admirable one, and he commended Professors Schwartz and the Joint Subcommittee which worked very hard on this issue. However, he said that it seemed to him that the key issue here is that the Resolution should apply primarily to interdisciplinary programs existing between schools, because that is what poses the problem of whether a faculty of a school will have real authority over the degree and on promotion and tenure, etc. For the purpose of clarification, he moved to amend the Resolution by inserting the word "interschool" before the word "program" in the first line of the Third RESOLVING Clause, and the word "interschool" before the word "interdisciplinary" in the first line of the Fifth RESOLVING Clause.

The motion was seconded. Professor Boswell accepted the amendments on behalf of the ASPP Committee.

Professor McAleavey voiced his concern about the possibility that a non-tenured faculty member might be leading an interdisciplinary program because the use of part-time faculty teaching in these programs is indicated in the statement accompanying the Resolution. He thought that a tenured faculty member, at least in one of the schools, should be leading the program in order to have a strong program. Professor Boswell replied that the Committee could not anticipate every potential problem that might come along, and Professor Schwartz explained that the subcommittee thought there were enough checks and balances in the Resolution in terms of authority to deal with such a problem if it comes up.

Professor Yezer asked how regular, active-status faculty members determine whether they are participating in a program or not participating in a program, because one may be teaching classes that could have significant enrollments logically part of an interdisciplinary program. Professor Boswell responded that anyone who serves on a program committee is appointed by the department and no one would be appointed that the department...

"Vice President Lehman pointed out that the department makes recommendations for appointments to any programs, but that through the dean, or and that he makes the actual appointments to the programs; although eventually, the department eventually makes the assignments for teaching, etc."

Further discussion followed by Professors Schwartz, Yezer, Boswell, and Silber.

Professor Griffith asked about the Joint Subcommittee's decision not to recommend imposing on Interschool programs the same restriction imposed by the Faculty Code on departments, that is, that no less than 50% of its full-time positions must be tenured or tenure-accruing. He thought this issue could become important in future if mainly contract-faculty were appointed in such Interschool programs. He asked whether the Committee had judged this issue to be unimportant, or simply been unable to reach a consensus on this point. Professor Wirtz replied that he was involved in the deliberations of both the ASPP and Joint Subcommittee, and that that issue was strongly debated. While he thought Professor Griffith's point was very valid, he and both Committees concluded that they did not think it was a concern for this particular isolated instance.

The question was called on the original motion, as amended, and Resolution 97/7, as amended, was adopted unanimously. (Resolution 97/7 is attached.)

RESOLUTIONS

RESOLUTION 97/8, "A RESOLUTION ON TENURE BY DEFAULT"

On behalf of the Professional Ethics and Academic Freedom Committee, Professor Johnston moved the adoption of Resolution 97/8, and the motion was seconded. Professor Johnston said that the wording of the Resolution distributed at the meeting today was identical to the Preliminary Draft Resolution circulated with the agenda. He said that in the last two years a concern had been raised by the administration about the undesirability of the provision in the Faculty Code that states that, unless a faculty member who would not be granted tenure is so notified by June 30th preceding the year in which his or her appointment will expire, that person shall automatically acquire tenure. Professor Johnston said that it was his understanding that there was one case some years ago where a faculty member was awarded tenure because of an oversight in notification by June 30th. More recently, he said, there have been two cases involving nonconcurrences where the administrative process had not reached total finality by the June 30th deadline, and that these two cases are now in litigation. Professor Johnston said that the Resolution represented a compromise on this issue by giving both the faculty member and the administration some protection by granting a one-year extension if the faculty member is not notified by June 30th of the final year of the nonextended term of appointment that tenure will not be granted.

Professor Gupta said that he thought the Resolution was supposed to eliminate tenure by default, but the new language simply extends the contract by a year after which the faculty member may still acquire tenure by default. Professor Johnston explained that the process in nonconcurrence cases sometimes cannot be completely finalized by June 30th of the year before the final year of the contract. The Committee's view was that by extending

the contract for an additional year, there would be no conceivable situation where it could not then be decided in that additional year. Also, the concept of being awarded tenure if not notified serves a valuable purpose because we can still be assured that faculty are going to get prompt notice. Professor Robinson pointed out that, while the new language grants an additional year, it still provides for the possibility of receiving tenure if notification is not given. What the Resolution also does, she said, is put on notice the fact that it is not desirable to let the clock run out on a faculty member's tenure decision. Professor Robinson said that the Resolution is a compromise that serves both the faculty and the administration.

Professor Silber asked whether or not the person would be notified in writing that the tenure decision was being delayed and that there would be a one-year extension of his or her contract. Professor Johnston replied that he did not know the answer to that question. Professor Silber then asked what the effective date of this provision would be if approved by the Senate, and if it would apply to people who are already in tenure-track positions or only to those people hired after this provision is approved. Professor Johnston replied that he could not answer that question. Vice President Lehman noted that amendments to the Faculty Code become effective when the Board of Trustees approves them.

Further discussion followed by Professors Silber, Griffith, Johnston, Castleberry, and Vice President Lehman.

Professor Yezer said that he thought that non-tenured faculty should be evaluated every year in the form of a written record so that they know where they stand with regard to tenure, and he found it alarming that there could be inadvertence with regard to this matter. He then asked what would happen in a nonconcurrence situation in a department where the vote was narrowly divided and it has not been quite resolved by June. For example, the person receives a letter in September informing him or her that tenure has been denied. That person, he said, would then continue to be teaching in the department for the next two academic years and he did not think that that was a very happy state of affairs. Professor Johnston replied that that is something which would not occur very often. Vice President Lehman said that it concerns him that we have not defined a decision point relative to the litigation-type of situations that we have already faced. It seemed to him that what would happen is that almost every one of the cases would end up in an 8-year type time period. Professor Johnston replied that the administration can avoid that problem by making a final decision by the original June 30th deadline.

Professor Kahn explained that the language of the Resolution is very clear. It says that in the first instance there is no change from the current system. If a faculty member is notified of the action of the Board of Trustees to deny tenure by June 30th of

the 6th year, then that is the end of it. On the other hand, if for some reason the final decision by the final authority, namely the Board of Trustees, is postponed, for example, until the Board's October meeting date, then the person is notified no later than June 30th of that particular year, and the situation is again absolutely resolved.

As a follow-up to Professor Kahn's statement, Professor Silber said that one of the major problems with the Resolution is that there is nothing in the language to indicate that this notification would occur only in unusual situations. He said that he agreed with Vice President Lehman's concern that, as a matter of routine, a 7-year probationary period may become an 8-year probationary period. Professor Robinson replied that, over the past 30 years, there has been only one case where a slip-up in notification by June 30th occurred, and now we have had two nonconcurrence cases that are in litigation, which are very different issues. She said that she understood the concerns of Professor Silber, but she did not see that we would have a problem of every single person being granted an extension, particularly since we have very careful scrutiny of people coming up for tenure in each school. Vice President Lehman said that he agreed with Professor Robinson in principle, but it is the practical issue that concerned him. He said that, in nonconcurrence cases, it is very difficult to complete the entire process by June 30th because tenure and promotion materials are not due in his office until March. Unless an earlier date, perhaps December, can be set for the departments to submit this material to him, he did not see how the nonconcurrence procedures can all be carried out by June 30th. Professor Griffith, having participated in the handling of nonconcurrences as a former Chair of the Executive Committee, said that he never remembered a case that went dangerously close to the June 30th deadline, and that there is an administrative procedure here that could protect against the lapsing over into an additional year as a matter of routine, absent extraordinary circumstances.

Professor Yezer then moved to amend the amendment so that the same would read, as follows:

"Any such faculty member who is not so notified shall not be granted tenure at the end of that term, but shall be granted notified that a one year extension of his or her appointment has been granted."

The motion was seconded. Professor Castleberry moved that the words "has been granted" at the end of the sentence be struck, and Professor Yezer and the seconder accepted the amendment.

Professor Johnston spoke against the amendment. By adding another provision of giving notice, then the question is one of when that notice has to be given, which could create more arguments

for litigation lawyers, he thought.

Further discussion followed by Professors McAleavey, Johnston, Boswell, Wirtz, Gupta, Griffith, Slaby, Kahn, Silber, Dean Lefton, and Vice President Lehman.

Professor Boswell moved to close the debate on the Yezer amendment, and the motion was passed.

The question was then called on the Yezer amendment, and the amendment failed.

Professor Silber spoke against the Resolution because he was still concerned that the practical effect of this Resolution over time may result in a change from the 7-year probationary period to an 8-year probationary period, and he preferred that a timetable be set within which the process must be completed. Professor Wirtz pointed out that the responses to Professor Silber's concerns have all been made in the context of the wording of the Faculty Code which would prohibit that situation from occurring. Professor Johnston explained that he did not think there was any possible construction of this Resolution that could somehow modify the 7-year period that is found elsewhere in the Code.

Further discussion followed by Professors Harrington, Silber, Johnston, Solomon, Griffith, Castleberry, Robinson, and Vice President Lehman.

Professor Boswell moved to close the debate on the Resolution and the motion was passed.

The question was then called on the original motion, and Resolution 97/8 was adopted. (Resolution 97/8 is attached.)

INTRODUCTION OF RESOLUTIONS

No resolutions were introduced.

GENERAL BUSINESS

I. REPORT OF THE EXECUTIVE COMMITTEE

The Report of the Executive Committee by Professor Robinson, Chair, is enclosed.

II. INTERIM REPORTS OF SENATE COMMITTEE CHAIRS

No Interim Reports were made.

BRIEF STATEMENTS (AND QUESTIONS)

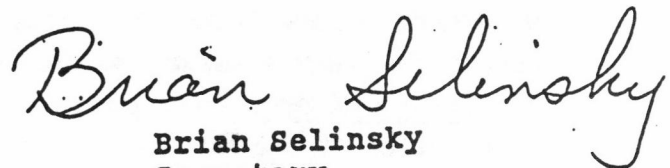
Professor Silber asked Vice President Lehman why travel has to

be booked by certain travel agencies, one of which is located in Connecticut. Vice President Lehman responded that the University is trying to get the best buys which saves the University money. Professor Harrington commented that he had used the World Tek Travel Agency -- one of the University's authorized agents -- and compared their quote with a local travel agency. World Tek compared favorably. Professor Griffith noted that, some years ago, when the Business Office gave its first monopoly on travel arrangements to a firm called Travel-On, the faculty were promised better deals on fares and hotels, but in his experience no such benefits were ever realized despite the inconvenient limitation of options. He said that he did not know the size of the rebate that the University receives, but the Fiscal Planning and Budgeting Committee may raise that question to determine if it is worthwhile.

Professor Youens, Co-Chair of the Joint Committee of Faculty and Students, said that each of the Vice Presidential units has been asked to present a strategic plan to the Board of Trustees. Because of her service to the Joint Committee of Faculty and Students, she said that she has been asked to be part of the troika leading the Student and Academic Support Services Plan. She thought the Joint Committee has developed a good working model on the collection of information from students, faculty, and administration, and she proposed that a report on it be presented to the Senate by Assistant Vice President LeNorman Strong at the February meeting. Professor Boswell commented that he thought the Senate would find this report very informative.

ADJOURNMENT

Upon motion made and seconded, Vice President Lehman adjourned the meeting at 3:45 p.m.


Brian Selinsky
Secretary

A RESOLUTION ON INTERDISCIPLINARY PROGRAMS (97/7)

WHEREAS, the University should encourage faculty and students to explore heretofore uncharted areas of knowledge; and

WHEREAS, the establishment of interdisciplinary programs promotes cooperation among scholars in various disciplines and the exploration of new ideas; and

WHEREAS, good policy suggests that guidelines be established for interdisciplinary programs; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) That the Faculty Senate supports the establishment of interdisciplinary programs through the cooperation of two or more schools or departments of the University;**
- (2) That faculty collaborating in the establishment and leadership of interdisciplinary programs shall be regular, active-status members of University departments or non-departmentalized schools and shall have the endorsement of their department or school to participate in such programs;**
- (3) That the regular, active-status faculty participating in each inter-school program shall constitute the Program Committee for that program, and will be evaluated for promotion and tenure by their respective departments and/or schools, in a manner consistent with the Faculty Code; each program Committee will report to a committee of the Deans of the participating schools that is chaired by the Associate Vice President for Research and Graduate Studies; regular active-status faculty of the Program Committee will recommend a director to the Vice President for Academic Affairs;**
- (4) That faculty members, other than regular active-status, who are associated with interdisciplinary programs, will be evaluated for appointment, reappointment, and promotion by the particular Program Committee and by the department and/or school in which they are appointed;**

- (5) That students pursuing degrees in an interschool interdisciplinary program shall be admitted and registered in the interdisciplinary program and in one of the schools of the University; admission into interdisciplinary programs shall be administered by the Program Committee and approved by the Department and/or school cooperating in the designated interdisciplinary program; the department or school representatives to each Program Committee may be delegated ~~shall have~~ signatory authority by the department and/or school to approve admissions to the interdisciplinary program; and
- (6) That students in an interdisciplinary program shall, upon satisfactory completion of all requirements, be recommended for the interdisciplinary degree by the particular Program Committee, subject to approval by the faculty of the school in which they matriculate.

Committee on Appointment, Salary and Promotion Policies
November 18, 1997

Referred December 12, 1997, to the Professional Ethics and Academic Freedom Committee

Adopted, as amended, January 16, 1998

A RESOLUTION ON TENURE BY DEFAULT (97/8)

WHEREAS, the Faculty Code (IV.C.1) provides that "[t]enure shall be dependent upon professional competence . . . , " yet

WHEREAS, the Faculty Code (IV.A.3.1 c) also provides that tenure shall be automatically awarded if the University fails to notify a tenure-track faculty member in the penultimate year of the maximum term of appointment that tenure will not be granted; and

WHEREAS, it remains important that the time limits on tenure-track service not be indefinitely extended by administrative inaction; and

WHEREAS, it is also important that tenure decisions by the University continue to "normally follow faculty recommendations. Departures from this standard shall be limited to those cases involving compelling reasons . . . [with statement of] the compelling reasons therefore" (Procedures for the Implementation of the Faculty Code B 3, Faculty Code, p. 19), and that tenure accordingly not be denied by mere administrative inaction; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the Faculty Code, IV.A.3.1.c) be amended to read as follows: (underlined matter added; lined-out matter deleted]

A faculty member of the rank of assistant professor or higher who will not be granted tenure at the end of the final year of his or her maximum term of appointment shall be so notified in writing no later than June 30 preceding the year in which his or her appointment will expire in accordance with Article V, Section B, hereof. Any such faculty member who is not so notified shall ~~acquire tenure at the end of the term. not be granted tenure at the end of that term, but shall be granted a one year extension of his or her appointment. If not notified by June 30 of the final year of the nonextended term of appointment that tenure will not be granted, he or she will acquire tenure at the end of the extended term.~~

Professional Ethics and Academic Freedom Committee
January 13, 1998

Adopted, January 16, 1998, by the Faculty Senate

REPORT OF THE EXECUTIVE COMMITTEE
January 16, 1998
Professor Lilien F. Robinson, Chair

On behalf of our colleagues on the Executive Committee, I would like to report on the following matters.

1. GRIEVANCES

The Executive Committee received a report dated December 30, 1997, from Professor Carol Izumi, Special Mediator in a grievance from the Columbian School, that the matter was settled.

I would like to thank Professor Izumi for bringing to resolution yet another case, and for her continued willingness to serve as Special Mediator.

2. MOUNT VERNON

The Executive Committee appointed an Ad Hoc Committee on faculty issues relating to Mount Vernon. The members of the Committee are: Professor Linda L. Gallo, Associate Professor Diana E. Johnson, and Professor Debra R. Sheldon.

Because we believe that issues pertaining to faculty appointments, criteria, and procedures will arise, and GWU faculty need to be assured that their role, as defined by the Faculty Code, is sustained, it was felt that we needed to have a mechanism in place in anticipation of the future. The Executive Committee wants to make certain that faculty are part of the process and not consulted too late or not at all. To that end, this committee will be requesting that it be advised of anticipated personnel actions as faculty appointment plans are being made.

3. COMMITTEE SERVICE

Please note that the forms for service on Faculty Senate Standing Committees and Administrative Standing Committees will be distributed with the agenda for the Senate's February meeting. I urge you to consider volunteering for service and to encourage your colleagues to participate in an activity which is at the core of faculty governance.

4. FEBRUARY MEETING OF THE SENATE

I would like to advise you that the regular February meeting of the Senate has been moved to Tuesday, February 10, at 8:00 a.m. It will be a breakfast meeting. The reason for the change is to allow the Senate to act upon the proposed Conflicts of Interest Policy before the meeting of the Academic Affairs Committee of the Board and the regularly scheduled meeting of the Board of Trustees. These meetings are on the 12th and 13th of February.

I would like to take this opportunity to extend sincere thanks to the special committee for the many hours of hard work expended in putting together the Conflicts of Interest Policy. It is a document that the committee feels very strongly will serve us well. The members of the committee are: Professors Gupta, Harrington, Johnston, Kahn, Wirtz, and Wilmarth.

The Policy is scheduled to be distributed next week. Should you have any questions, please contact one of the members of the Committee.

Also at the February Senate meeting, the annual report on recruitment and appointment of women and minority faculty will be presented by the Office of the Vice President for Academic Affairs.

5. ANNOUNCEMENTS

The next meeting of the Executive committee is on January 23rd. Committee Chairs are asked to submit resolutions or reports to the Executive Committee for the agenda of the February Senate meeting prior to January 23rd.

THE GEORGE WASHINGTON UNIVERSITY
Washington, DC

The Faculty Senate

January 5, 1998

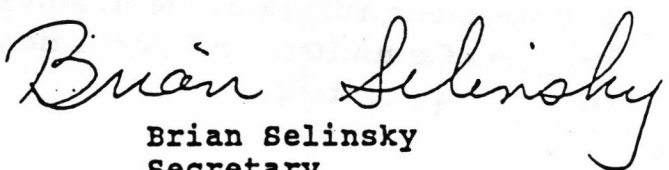
**The Faculty Senate will meet on Friday, January 16, 1998, at
2:10 p.m. in the Morris Room, University Club, 3rd Floor, Marvin Center**

AGENDA

- I. Call to order**
- 2. Approval of the minutes of the regular meeting of December 12, 1997, as
previously distributed**
- 3. Old Business:**

**Reintroduction of Resolution 97/7, "A RESOLUTION ON
INTERDISCIPLINARY PROGRAMS," with accompanying Report;
Professor John G. Boswell, Chair, Committee on Appointment, Salary
and Promotion Policies (Resolution 97/7 with Report attached)**
- 4. Resolutions:**

**A RESOLUTION ON TENURE BY DEFAULT (97/8) with accompanying
Explanatory Statement; Professor Gerald P. Johnston, Chair,
Committee on Professional Ethics and Academic Freedom
(Resolution 97/8 with Statement attached)**
- 5. Introduction of Resolutions**
- 6. General Business:**
 - (a) Report of the Executive Committee: Professor Lilien F. Robinson,
Chair**
 - (b) Interim Reports of Senate Committee Chairs**
- 7. Brief Statements (and Questions)**
- 8. Adjournment**


Brian Selinsky
Secretary

A RESOLUTION ON INTERDISCIPLINARY PROGRAMS (97/7)

WHEREAS, the University should encourage faculty and students to explore heretofore uncharted areas of knowledge; and

WHEREAS, the establishment of interdisciplinary programs promotes cooperation among scholars in various disciplines and the exploration of new ideas; and

WHEREAS, good policy suggests that guidelines be established for interdisciplinary programs; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) That the Faculty Senate supports the establishment of interdisciplinary programs through the cooperation of two or more schools or departments of the University;
- (2) That faculty collaborating in the establishment and leadership of interdisciplinary programs shall be regular, active-status members of University departments or non-departmentalized schools and shall have the endorsement of their department or school to participate in such programs;
- (3) That the regular, active-status faculty participating in each program shall constitute the Program Committee for that program, and will be evaluated for promotion and tenure by their respective departments and/or schools, in a manner consistent with the Faculty Code; each program Committee will report to a committee of the Deans of the participating schools that is chaired by the Associate Vice President for Research and Graduate Studies; regular active-status faculty of the Program Committee will recommend a director to the Vice President for Academic Affairs;
- (4) That faculty members, other than regular active-status, who are associated with interdisciplinary programs, will be evaluated for appointment, reappointment, and promotion by the particular Program Committee and by the department and/or school in which they are appointed;

- (5) That students pursuing degrees in an interdisciplinary program shall be admitted and registered in the interdisciplinary program and in one of the schools of the University; admission into interdisciplinary programs shall be administered by the Program Committee and approved by the Department and/or school cooperating in the designated interdisciplinary program; the department or school representatives to each Program Committee shall have signatory authority to approve admissions to the interdisciplinary program; and
- (6) That students in an interdisciplinary program shall, upon satisfactory completion of all requirements, be recommended for the interdisciplinary degree by the particular Program Committee, subject to approval by the faculty of the school in which they matriculate.

Committee on Appointment, Salary and Promotion Policies
November 18, 1997

Referred December 12, 1997, to the Professional Ethics and Academic
Freedom Committee

REPORT OF THE SUBCOMMITTEE OF THE SENATE COMMITTEE ON
APPOINTMENT, SALARY AND PROMOTION POLICIES

Re: Senate Resolution on Interdisciplinary Programs

This resolution responds to the need to establish general guidelines for creating, conducting, and staffing new academic programs which because of their interdisciplinary content require the cooperation of faculty in one or more departments (or non-departmentalized schools, hereinafter understood to be comprehended within the term "department").

This Resolution seeks to strike a balance between upholding the traditional and Code-protected role of departments in determining academic policy and curriculum and the autonomy and authority which interdisciplinary programs committees require to develop and establish successful programs. In addition to maintaining this balance, the Resolution seeks to enable the Program Committee with the ability to make decisions with deliberate speed.

The resolving clauses of the Resolution do not answer all questions. Nor do they foresee all eventualities. They are based on the belief that persons of goodwill joined in a common effort and supported by their departmental colleagues and chairmen will find solutions to the structural and procedural problems as they arise.

Herewith, in sequence, the Subcommittee explains "its thinking" on each of the resolving clauses:

(1) The Senate's support of interdisciplinary programs is appropriate because a number of such programs already flourish within the University. The prospect of Senate's receiving subsequent proposals, perhaps of greater complexity, suggests the propriety of its establishing general guidelines.

(2) The Subcommittee, to put it more simply, believes that full-time, not part-time, faculty should be in charge. For reasons having to do with departmental priorities, however, full-time faculty should not simply volunteer, or be coerced, to "participate," but rather should have their department's freely-given and explicit approval and endorsement. The contribution of participating faculty members to the interdisciplinary programs should be appreciated as a component of their academic advancement and service to their department and the university.

(3) Once departmentally approved for "participation," full-time faculty will direct the program by their automatic membership on the Program Committee. While the latter part of this clause seems redundant (repetitive of Code language), it serves as a reminder of the department's stake in determining how much time and effort a member may devote to the program and still meet departmental criteria for promotion and tenure. The Program Committee will establish its own infrastructure and be accountable to a committee of Deans.

(4) "Other than regular active-status" refers to the part-time or adjunct faculty who will almost certainly be hired to teach specialized interdisciplinary courses. Both the Program Committee AND the Department (in which the appointment takes place) must concur in appointing, reappointing, and promoting such non-tenure-track faculty. Experience suggests that although a department and a program committee may have

differing criteria, they concur often enough in their judgments of whether an individual has met both standards as to make such differences relatively unimportant.

2.

Some expressed their concern that an interdisciplinary program might become over-staffed with part-time faculty because it is not bound by the percentage restrictions the Code imposes on departments. The subcommittee recognizes this possibility. Article I of the Faculty Code reads, in part: "... nor shall any department have fewer than 50% of its regular, active-status faculty appointments either tenured or tenure-accruing." Whether the same or some other restriction should be applied to interdisciplinary programs is a matter which the subcommittee believes should be decided apart from this resolution.

(5) This clause affirms the authority of an existing School to set admission standards for, and to admit students into, an interdisciplinary program with which the School is affiliated. To put it another way, students admitted to an interdisciplinary program may or may not have a "home department," but they must have a "home school". Criteria and decisions for the admissions process should be made by the Program Committee and the respective departments/schools but the approval of admissions should be made with deliberate speed.

(6) Though it hardly needs re-phrasing, this clause says that a Program Committee may recommend a student for an interdisciplinary degree, but the "home school" must approve the Committee's recommendation.

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PRELIMINARY DRAFT

[To be replaced at the January Senate meeting by a revised draft to be forwarded by the PEAFC Committee.]

A RESOLUTION ON TENURE BY DEFAULT (97/8)

WHEREAS, the Faculty Code (IV.C.1) provides that "[t]enure shall be dependent upon professional competence . . . , " yet

WHEREAS, the Faculty Code (IV.A.3.1 c) also provides that tenure shall be automatically awarded if the University fails to notify a tenure-track faculty member in the penultimate year of the maximum term of appointment that tenure will not be granted; and

WHEREAS, it remains important that the time limits on tenure-track service not be indefinitely extended by administrative inaction; and

WHEREAS, it is also important that tenure decisions by the University continue to "normally follow faculty recommendations. Departures from this standard shall be limited to those cases involving compelling reasons . . . [with statement of] the compelling reasons therefore" (Procedures for the Implementation of the Faculty Code B 3, Faculty Code, p. 19), and that tenure accordingly not be denied by mere administrative inaction; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the Faculty Code, IV.A.3.1.c) be amended to read as follows:
(underlined matter added; lined-out matter deleted]

A faculty member of the rank of assistant professor or higher who will not be granted tenure at the end of the final year of his or her maximum term of appointment shall be so notified in writing no later than June 30 preceding the year in which his or her appointment will expire in accordance with Article V, Section B, hereof. Any such faculty member who is not so notified shall ~~acquire tenure at the end of the term. not be granted tenure at the end of that term, but shall be granted a one year extension of his or her appointment. If not notified by June 30 of the final year of the nonextended term of appointment that tenure will not be granted, he or she will acquire tenure at the end of the extended term.~~

Professional Ethics and Academic Freedom Committee
December 18, 1997

PRELIMINARY EXPLANATORY STATEMENT RE TENURE BY DEFAULT

The usual procedure for granting or denying tenure at the University begins with an investigation and a recommendation by the faculty of the affected school or department, i.e., those with the most particularized expertise in the subject area. The Faculty Code provides that this recommendation will normally be followed by the Administration.¹ On occasion, however, the Administration does not concur with faculty recommendations. This is authorized, providing it gives "compelling reasons" for its nonconcurrence.²

In order for the unsuccessful applicant for tenure to have sufficient time to find another job, the Code requires that at least one year's notice be given that tenure will not be granted.³ If this notice is not given in a timely manner, tenure is automatically awarded.⁴ This has been termed tenure by default. It has not been common, but two such situations arguably occurred in recent years following faculty recommendations of tenure and extended administrative review prior to ultimate rejection of the recommendations.

Neither the faculty nor the administration believes that tenure by default is desirable, even when it is due to failure to obtain final administrative action in a timely way on a faculty recommendation that the candidate be given tenure. At the same time, simply eliminating the possibility of tenure by default would make it possible to convert the limited administrative authority of nonconcurrence upon showing compelling reasons into an administrative power to veto faculty recommendations providing the administration took no action and requiring disclosure of no reasons, whatsoever.

The resolution proposes a compromise, designed to address the legitimate concerns regarding tenure by default and at the same time preserving the faculty role under the Code of having the presumptive power to determine its membership. It provides that in situations of delay that presently would result in tenure by default, instead the candidate be given a one year extension of his or her contract. Only if there is inaction for an additional year could there be tenure by default. We anticipate that this would never occur, but its possibility is needed to prevent veto by inaction.

¹Faculty Code (FC) p. 19-20.

²FC p. 20.

³In this respect the Code follows the 1940 Statement of Principles on Academic Freedom and Tenure, developed by the American Association of University Professors and the Association of American Colleges.

⁴FC p. 6.